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C/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

District Court
06 CR 233 (ADS)

-v.-

Circuit Court
No. 06-4570 -cr

OMAR MIRANDA OLEA,

Defendant.
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APPEARANCES:

ROSLYNN R. MAUSKOPF

United States Attorney of the
Eastern District of New York

By: **DEMETRI JONES**
Assistant United States Attorney
of counsel

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Federal Defenders, Appeals Bureau
Attorney for the Defendant
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By a Summary Order dated June 18, 2007, the United States Circuit Court for the
Second Circuit remanded the appeal by the defendant to the District Court to answer the
following question:

Assuming that the district court had concluded,

(1) that the total number of people transported by Olea was between 25 to
99 rather than 100 or more; and

(2) that there was insufficient evidence to find that the truck involved in
this case was not rated to carry the number of people who were
transported;

what is the sentence that the district court would have imposed?

The answer to this question is 18 months.

Dated: Central Islip, New York
June 20, 2007

ARTHUR D. SPAYT
United States District Judge